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The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
October 27, 2022

The City Council of the City of Minden, Nebraska, met on this day at 4:30 p.m. in special session in the Fire Hall, pursuant to advance notice of said meeting simultaneously transmitted to all members of the Council and to the public as shown by the copy thereof posted in the Minden City Hall, Outside the Minden City Hall, First Bank & Trust Co., Minden Exchange Bank & Trust Co., and the Post Office. A copy of the notice is on file in the office of the City Clerk.

Mayor Griess called the meeting to order at 4:30 p.m. The following City Council members were present: Jack Yant, Bob Carlson, Teresa Sumstine, and Larry Evans. The following City Officials were present: Mayor Ted Griess, City Attorney Tom Lieske, and City Clerk Abbey Jordan. Absent: City Administrator Matt Cederburg.

All proceedings hereinafter were taken while the convened meeting was open to the attendance of the public.

After roll was called, Griess led those in attendance in the Pledge of Allegiance.

Then Griess made the following statement:

> "Pursuant to the Open Meetings Act and Public Records Law Requirements a current copy of the Open Meetings Act is posted for public inspection on the east wall of the Fire Hall. In addition, for public inspection, there is located on the table on the east side of the Fire hall, a copy of the Council packet that was distributed to the members of the Council prior to this meeting.
>
> The City Council will take public comments on an agenda item, if it is deemed necessary. Please state your name and address prior to commenting."

Agenda Item #3, Mayoral Announcements. Griess stated Cederburg is not able to attend this meeting.

Agenda item #4, The following items were listed under the agenda item "**consent agenda**" for this meeting:

a. Consider Approval of Minutes of Previous City Council Meetings
b. Consider Acceptance of Excused Absence of Mayor or Council Member(s

Yant motioned to approve the consent agenda and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #5, Selection of Splashpad features for Chautauqua Park Splashpad.

Patrick Pierce with Commercial Recreation Specialists spoke concerning the various splashpad features. The council voted previously to have the larger pad. The features are up for discussion. Carlson asked a few kids if they'd rather have the multiple buckets or the single larger bucket. It was unanimous to have one big bucket for the older age group that will use the splashpad.

Carlson asked if they should use the lower consumption features? Evans believes if the City is worried about this water consumption, then there should be concern about Minden West Estates Phase II and new residential sprinklers. Evans believes nothing will be gained if the City has the larger pad, but the lower flow features. Carlson doesn't want to disregard the information provided by the City's Utilities Superintendent, Darin Fischer. It was discussed that the water usage could be limited by hours available and the run time of the features.

Alan Eschliman, Parks and Recreation Superintendent, stated the features should be the higher flow to allow the most use of the slashpad. Eschliman and Parks employee, John Hlavinka, visited all of Kearney's splashpads. They have several with smaller features, but the bigger splashpads have bigger features for the older kids.

The council wishes to have the Bollard Activator, Playsafe Drain No. 1, Directional Jet No. 1, Fountain Spray No. 2, Jet Stream No. 1, Tube No. 1, Water Jelly No. 1, Twinsplash, Frog, and Helio on the larger pad. Yant motioned to approve the previously stated splashpad features on the larger pad. Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #6, Consider Approval of 50% Down Payment to Commercial Recreation Specialists for the Chautauqua Park Splashpad.

Sumstine motioned to approve the Down Payment to Commercial Recreation Specialists for the Chautauqua Park Splashpad and Evans seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #7, Consider Approval of 15% Down Payment to Commercial Recreation Specialists for the Tennis and Pickleball Courts.

Yant motioned to approve the Down Payment to Commercial Recreation Specialists for the Tennis and Pickleball Courts and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #8, Public Hearing for the Vacation of the CRS Second Subdivision plat.

Lieske provided background on the process and the necessity of the vacation of the plat. The CRS Fourth Subdivision includes the lot platted in CRS Second Subdivision. The public hearing and the following ordinance will essentially erase the CRS Second Subdivision plat and then the property is replated in the CRS Fourth Subdivision.

Lieske opened the public hearing at 4:59 p.m. and asked those in attendance to speak. No one spoke for or against the vacation. The public hearing was closed at 5:00 p.m. No action was taken.

Agenda Item #9, Consider Approval of an Ordinance Vacating the CRS Second Subdivision plat.

Carlson introduced Ordinance #1271 Vacating the CRS Second Subdivision plat for its first reading:

ORDINANCE NO. 1271

AN ORDINANCE TO VACATE ALL OF CRS SECOND SUBDIVISION SAID SUBDIVISION CONSISTING OF ONLY LOT 1, SAID SUBDIVISION BEING A PART OF THE NORTH ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 15, WEST OF THE SIXTH PRINCIPAL MERIDIAN, KEARNEY COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MINDEN, NEBRASKA:

Section 1. That all of CRS Second Subdivision consisting of only Lot 1, Minden, Kearney County, Nebraska, being more particularly described as follows, to wit:

ALL OF CRS SECOND SUBDIVISION SAID SUBDIVISION CONSISTING OF ONLY LOT 1, SAID SUBDIVISION BEING A PART OF THE NORTH ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 15, WEST OF THE SIXTH PRINCIPAL MERIDIAN, KEARNEY COUNTY, NEBRASKA be and the same is hereby vacated.

Section 2. That no streets or alleys are affected by the vacation of this subdivision.

Section 3. That the Council finds that no persons or property will be in any way damaged by this vacation and, therefore, no provision is made for determination of damages.

Section 4. That any other ordinance or section passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Section 5. This Ordinance shall be known as Ordinance No. 1271 and shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 27th day of October, 2022.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk
(SEAL)

Evans seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Carlson motioned to waive the three readings and Yant seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Carlson motioned to adopt Ordinance #1271 by title and Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #10, Consider Approval of Resolution for Final Plat of the CRS Fourth Subdivision.

RESOLUTION NO. 1748

WHEREAS, the Mayor and Council of the City of Minden did approve of the final plat for the CRS Fourth Subdivision at the regular Council meeting held on October 3, 2022; and

WHEREAS, the Mayor and Council of the City of Minden does hereby concur with said recommendation of the Planning and Zoning Commission of the City of Minden.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska, that the plat of "CRS Fourth Subdivision", a subdivision located in part of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE1/4 NE1/4 NE1/4) of Section Twelve (12), Township Six (6) North, Range Fifteen (15) West of the

Sixth Principal Meridian, Kearney County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the Office of the Register of Deeds of Kearney County, Nebraska.

Councilmember Yant moved for the adoption of the foregoing Resolution. Councilmember Carlson seconded the motion.

On roll call the following voted Aye: Evans, Sumstine, Carlson, and Yant.

The passage of said Resolution having been consented to by a majority of the members of the City Council, the Mayor declared the Resolution passed and adopted, this 27th day of October, 2022.

/s/ Ted Griess
Ted Griess, Mayor

Attest:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Carlson motioned to approve Resolution #1748 for the Final Plat of the CRS Fourth Subdivision and Evans seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #11, Open Mic Public Comments.

No comments were made.

Agenda Item #12, Adjournment

Sumstine motioned to adjourn at 5:05 pm and Evans seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

/s/ Ted Griess
Ted Griess, Mayor

Attest:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)